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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ
& HON'BLE SHRI D.R. DESHMUKH, J.

Writ Petition No.1020 of 2003

PETITIONER Sheshnarayan Tiwari Adovcate aged about 38 years S/o Late Shri S.R. Tiwari R/o Distt Jagdalpur, Sadarward (Chhattisgarh)

VERSUS

RESPONDENTS

1. State of Chhattisgarh Through Principal Secretary Department of Environment & Urban Development Mantralaya, D.K.S. Bhavan Raipur (Chhattisgarh)
2. Collector Bastar Jagdalpur (Chhattisgarh)
3. Municipal Corporation Jagdalpur Distt. Bastar Through the Administrator (Collector) Bastar

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Present: None present on behalf of the petitioner.
None present on behalf of the respondents.

ORAL ORDER
(Passed on 23rd August, 2006)

The following oral order of the Court was passed by

S.R. NAYAK, CJ .

In this writ petition, the petitioner has sought for quashing of the appointment of Administrator and for a direction to constitute the Municipal Corporation after holding the election. Municipal Corporation, Jagdalpur, the 3rd respondent herein has filed an application I.A. No. 9245 of 2005 praying for dismissal of the writ petition as infructuous. In the said application dated 22-10-2005, it is stated that the elections to the Municipal Corporation, Jagdalpur were subsequently held in the month of December 2004 and the elected office bearers assumed the office in the month of January 2005 itself.

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What is stated in the said application is not denied by the petitioner. In that view of the matter, granting relief to the petitioner as sought for would not arise. In other words, the writ petition has become infructuous. Writ Petition No.1020 of 2003 is, therefore, dismissed as infructuous. No costs.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

Subby